

EXHIBIT U

NORTH CAROLINA
WAKE COUNTY

AFFIDAVIT OF CARLENE MCNULTY, ESQ.

Carlene McNulty, being first duly sworn, deposes and says as follows:

1. I am one of the attorneys for the named plaintiffs and proposed class members. I am a senior attorney and litigation director at the North Carolina Justice Center in Raleigh, North Carolina. The Justice Center is a nonprofit organization providing legal representation to low-income North Carolinians in impact litigation, such as class actions.
2. I graduated from the University of North Carolina at Chapel Hill in 1980, and the University of North Carolina Law School in 1984. I was admitted to the State Bar of North Carolina in 1984. I am admitted to practice before the United States District Courts for the Eastern, Middle, and Western Districts of North Carolina and the United States Court of Appeals for the Fourth Circuit.
3. Since 1984 I have devoted my practice entirely to representing indigent persons and working on cases that affect low-income people in North Carolina. I worked as a staff attorney and then as managing attorney at North State Legal Services in Hillsborough, NC from 1984 to 1996, before joining the Justice Center staff in February 1996 as litigation director. I have also served as Adjunct Associate Professor of Law at the University of North Carolina Law School and served as the director of the Consumer Financial Transactions Clinic from June 2015 to August 2016.
4. I have represented numerous North Carolina individuals in cases involving consumer, education, employment, and public benefits issues in both state and federal courts. My advocacy

EXHIBIT

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POUNDS EX 0791

experience includes arguing appeals before the North Carolina Court of Appeals, the North Carolina Supreme Court, and the Fourth Circuit Court of Appeals. I received the Julian Pierce Award for my accomplishments as a Legal Services attorney in 1993, was presented with an award from the North Carolina Bar Association as the "Outstanding Legal Services Attorney" in 1994, and received the Vern Countryman Consumer Law Award by the National Consumer Law Center in 2011.

5. I have been invited to speak at numerous continuing legal education seminars for attorneys on various issues of poverty law or complex litigation. I have written articles for and conducted seminars on behalf of the North Carolina Bar Association, the UNC Law School, North Carolina Academy of Trial Lawyers, and Legal Aid of North Carolina.

6. I have been lead or co-lead counsel in several major class action lawsuits in both state and federal courts, involving a broad range of issues, including consumer law. Examples of these cases include:

a. *Antrican v. Odum*, 290 F.3d 178 (4th Cir. 2002), *cert. den'd*, 537 U.S. 973 (2002)—served as co-counsel in this class action lawsuit filed against the state Medicaid program, challenging payment structure to dentists. The case was ultimately settled, resulting in improved access to dental care for the state's 600,000 Medicaid-eligible children.

b. *Hyatt v. Barnhart* (C-C-83-655-MU, Western District of North Carolina). This case was originally filed against the Social Security Administration (SSA) in October of 1983, challenging SSA's practice of "non-acquiescing", that is, ignoring the precedent decisions of the United States Court of Appeals for the Fourth Circuit, when adjudicating claims of individuals receiving or applying for

disability benefits. I entered an appearance in the case in 1996 and am the lead attorney responsible for monitoring the settlement of this lawsuit, which involves reassessing the social security disability claims of over 130,000 potential class members.

- c. *Pacas v. Showell Farms* (Middle District of North Carolina, 1:94-cv-00422)—served as co-counsel in federal wage and hour case challenging “master clock” payment system at large chicken processing plant in Chatham County, North Carolina. The case was successfully settled.
- d. *Contreras et al. v. Craven Crab Company, Inc. et al.*: (4:98-CV-92-H(3), Eastern District of North Carolina, 98 CVS 1676, Craven County Superior Court). These companion class action lawsuits were filed in 1998 in both state and federal court. Plaintiffs were H2B seafood/crab processing workers who were not paid overtime, were made to work off the clock, and from whom illegal deductions were made from their wages.
- e. *Tomlin v. Dylan Mortgage*—(New Hanover File no. 99-CVS-3551, North Carolina Business Court)--served as co-counsel in this class action litigated in the North Carolina Business Court, challenging predatory lending practices of mortgage broker and lenders. Successfully settled, with average cash payment in excess of \$5,100 to 1400 class members.
- f. *Kucan v. Advance America, McQuillan v. Check 'N Go, Hager v. Check Into Cash*—(190 N.C.App. 396, 660 S.E.2d 98 (2008)); New Hanover County File nos. 04-CVS-2860; 04-CVS-2858 and 04-CVS 2859)--Served as co-counsel in three class action cases filed against payday lenders, challenging the companies'

attempts to evade North Carolina's consumer protection laws using a "rent-a-charter" partnership with an out-of-state bank. Each of the cases was settled, for a total of \$44.75 million. Each case had over 100,000 class members.

7. I believe that I and the other attorneys representing the Plaintiffs in this action have the time, experience, and knowledge necessary to represent the Plaintiff class competently and vigorously.

FURTHER AFFIANT SAYETH NAUGHT.

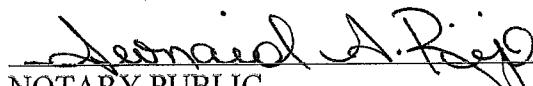
This the 4th day of November, 2016.



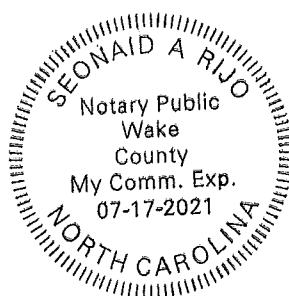
Carlene McNulty, N.C. State Bar No. 12488
North Carolina Justice Center
P.O. Box 28068
Raleigh, NC 27611
Phone: 919/856-2161

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Subscribed and sworn to (or affirmed) before me,
this the 4th day of November, 2016.

 (SEAL)
NOTARY PUBLIC

My Commission Expires: 7-17-21.

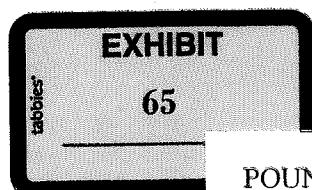


NORTH CAROLINA
COUNTY OF WAKE

AFFIDAVIT OF J. JEROME HARTZELL

J. Jerome Hartzell, being first duly sworn, deposes and says as follows:

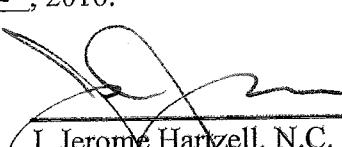
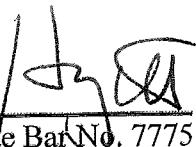
1. I am an attorney licensed to practice law in North Carolina. I give this affidavit for the purpose of providing information about my professional experience in connection with plaintiffs' motion seeking class certification for this case.
2. I attended the University of North Carolina at Chapel Hill for both my undergraduate and graduate education. I received my undergraduate degree in 1972, and as an undergraduate I was a member of Phi Beta Kappa and a Morehead Scholar. I received my law degree, with honors, in 1977, and as a law student I was a member of the Order of the Coif and the North Carolina Law Review. In 1977 I received also a Masters in Business Administration, and was a member of the business academic honorary society Beta Gamma Sigma. Following graduation, I worked for one year as law clerk to Justice Frank Huskins of the Supreme Court of North Carolina.
3. Since 1978 I have been engaged in the private practice of law in Raleigh, North Carolina, concentrating in civil litigation. I am a member of the North Carolina State Bar; of the bars of the federal courts sitting in North Carolina; of the Fourth Circuit Court of Appeals; and of the United States Supreme Court. I am a member of the North Carolina Bar Association and the Wake County Bar Association.
4. Much of my practice has involved work on class actions. My class action experience includes the successful prosecution and settlement of: *Willie M v. Hunt*, a case brought in the United States District Court for the Western District of North Carolina on behalf of several



thousand violent, handicapped juveniles in North Carolina not receiving appropriate educational services; *Capp v. F.N. Wolf & Co.*, a securities fraud class action on behalf of North Carolina customers of a "boiler room" securities operation; *Tomlin v. Chase Mortgage Brokers, Inc.*, an action on behalf of approximately 1,500 North Carolina mortgage borrowers; *Kucan v. Advance America*, *McQuillan v. Check 'N Go*, and *Hager v. Check Into Cash*, class action cases filed against payday lenders on behalf of over one hundred thousand North Carolina borrowers; and *Murdock v. Thomas*, a class action on behalf of approximately 19,000 North Carolina customers of a consumer loan operation. In addition, I have successfully prosecuted one class action in which a settlement agreement contained a provision prohibiting me from discussing the case. In all of these actions, I was co-lead counsel.

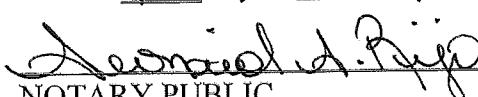
FURTHER AFFIANT SAYETH NAUGHT.

This the 7th day of November, 2016.

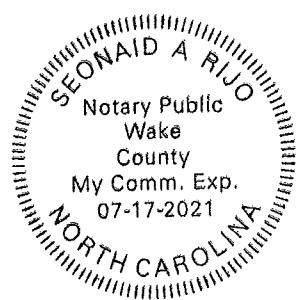

J. Jerome Hartzell, N.C. State Bar No. 7775
P.O. Box 10246
Raleigh, NC 27605


STATE OF NORTH CAROLINA
COUNTY OF WAKE

Subscribed and sworn to (or affirmed) before me,
this the 7th day of November, 2016.


(SEAL)
NOTARY PUBLIC

My Commission Expires: 7.17.21



NORTH CAROLINA
WAKE COUNTY

AFFIDAVIT OF JASON PIKLER, ESQ.

Jason Pikler, being first duly sworn, deposes and says as follows:

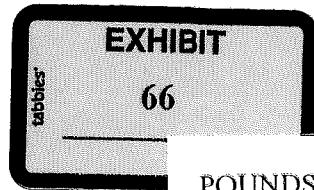
1. I am one of the attorneys for the named plaintiffs and proposed class members. I am a staff attorney at the North Carolina Justice Center in Raleigh, North Carolina. The Justice Center is a nonprofit organization providing legal representation to low-income North Carolinians in impact litigation, such as class actions.

2. I received my law degree from the University of Texas in 2006. During law school, I was an editor of the Texas Law Review and a Chancellors' scholar, the law school's most prestigious honor society, recognizing the sixteen law students who have achieved the highest grade point averages in their class through their second year.

3. In 2006, I passed the California Bar Exam and began my legal practice at the law firm of Morrison & Forester in San Francisco, working on a diverse range of civil litigation cases. In 2010, I joined the firm of Schubert, Jonckheer & Kolbe, also in San Francisco, representing plaintiffs in consumer class actions and shareholder derivative lawsuits in both state and federal courts. After relocating to North Carolina in the fall of 2013, I passed the North Carolina Bar Exam in February 2014 and joined the North Carolina Justice Center in July 2014 as a staff attorney.

4. Since July 2014 I have represented North Carolina individuals in foreclosure cases and in cases involving foreclosure-related scams. I have also worked on consumer protection class actions.

5. During my legal career, I have worked on complex class action lawsuits, including:



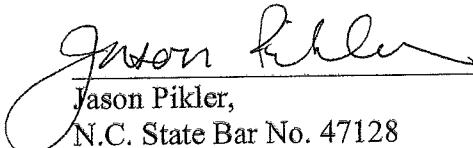
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a. *In re Apple and AT&T iPad Unlimited Data Plan Litigation*, U.S. District Court for the Northern District of California, Case No. 10-cv-02553-RMW (resulting in class action settlement that was granted final approval on March 11, 2014, in which Apple agreed to pay \$40 to consumers for each iPad 3G purchased and AT&T agreed to give consumers a one-year discount on data plans).

b. *In re Google AdWords Litigation*, U.S. District Court for the Northern District of California, Case No. 08-cv-03369 (after trial court denied motion for class certification, plaintiffs successfully appealed to U.S. Court of Appeal for the Ninth Circuit; U.S. Supreme Court recently denied Google's writ of certiorari).

6. I believe that I and the other attorneys representing the plaintiffs in this action have the time, experience, and knowledge necessary to represent the plaintiff class competently and vigorously.

This the 28th day of October, 2016.



Jason Pikler,
N.C. State Bar No. 47128
North Carolina Justice Center
P.O. Box 28068
Raleigh, NC 27611
Phone: 919/863-2403

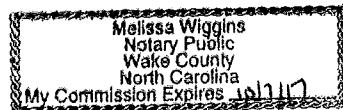
WAKE COUNTY
NORTH CAROLINA

Sworn to and subscribed before me, this the 28 day of October, 2016.

Melissa Wiggins

Notary Public

My Commission Expires: 07/17



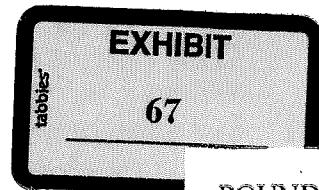
POUNDS EX 0798

NORTH CAROLINA
WAKE COUNTY

AFFIDAVIT OF EMILY P. TURNER, ESQ.

Emily P. Turner, being duly sworn, deposes and says as follows:

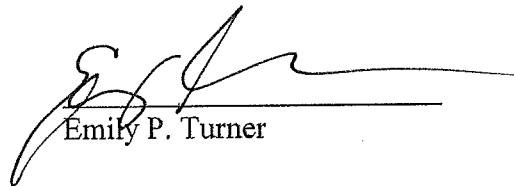
1. I am one of the attorneys for the plaintiffs and class members in this case. I am an attorney with the North Carolina Justice Center in Raleigh North Carolina. The Justice Center is a non-profit organization providing legal representation to low income North Carolinians in impact litigation, such as class actions.
2. I graduated summa cum laude from Bryn Mawr College in 2002, and summa cum laude from the University of Pennsylvania School of Law in 2015. I was admitted to the Bar of the State of North Carolina in 2015. I am admitted to practice before the United States District Court for the Eastern District of North Carolina and the United States Court of Appeals for the D.C. Circuit.
3. I was a Toll Public Interest Scholar at Penn Law, and served on the board of the Civil Rights Law Project. I was one of the organizers of the 33rd Annual Edward V. Sparer Symposium, and a Senior Editor on the University of Pennsylvania Law Review. I was also the recipient of the G. Newton Green Prize in Torts. After graduation I clerked for the Hon. Srikanth Srinivasan on the D.C. Circuit. In 2016, I joined the staff at the Justice Center as the inaugural Leslie J. Winner Public Interest & Social Justice Fellow.
4. I believe that I and the other attorneys representing the plaintiffs in this action have the time, experience and knowledge necessary to represent the plaintiff class competently and vigorously.



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FURTHER AFFIANT SAYETH NAUGHT.

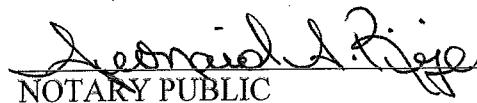
This the 4th of November, 2016



Emily P. Turner

Sworn to and subscribed before me

This 4th day of November, 2016.



Emily P. Turner
NOTARY PUBLIC

(Seal)



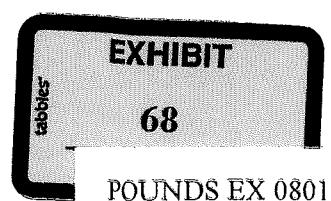
My Commission Expires: 7.17.21

NORTH CAROLINA
IREDELL COUNTY

AFFIDAVIT OF TRAVIS E. COLLUM

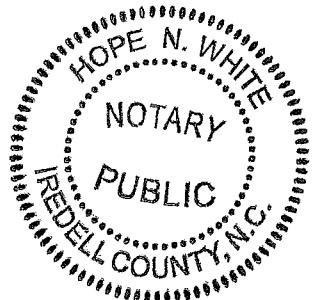
I, Travis E. Collum, after being duly sworn, depose and say as follows:

1. I am one of the attorneys for the plaintiffs and class members in this case. I am an attorney with the law firm of Collum & Perry, PLLC in Mooresville, North Carolina. I have practiced law in Mooresville, North Carolina continuously since my admission to the Bar in 2000.
2. I received my Bachelor's Degree from the University of North Carolina – Charlotte in 1997 and my Juris Doctor from the Norman Adrian Wiggins School of Law at Campbell University in 2000. I was admitted to the Bar of the State of North Carolina in 2000. I am admitted to practice before the United States District Court for the Western and Middle Districts of North Carolina.
3. I have been invited to speak at a seminar on Debt Collection presented by the North Carolina Advocates for Justice and have been a member of the National Association of Consumer Advocates since 2011. I have attended numerous conferences presented by consumer advocacy groups regarding consumer rights and litigation.
4. My practice consists entirely of assisting individuals injured by businesses and other large entities. I have filed and litigated numerous suits in state and federal court, including Bankruptcy Adversary proceedings, for violations of state and federal consumer protection laws.
5. I have extensive experience litigating consumer rights claims in state and federal courts and in arbitration proceedings.



6. I believe that I and the other attorneys representing the plaintiffs in this action have the time, experience and knowledge necessary to represent the plaintiff class competently and vigorously.

This the 28 of October, 2016



Travis E. Collum

Sworn to and subscribed before me

This 28th day of October, 2016.

Hope N. White
NOTARY PUBLIC

My Commission Expires: 9/8/19

AFFIDAVIT OF ADRIAN M. LAPAS

I, Adrian M. Lapas, having been duly sworn, do hereby depose and say as follows:

1. That I am one of the attorneys for the plaintiffs and class members in this case. I am an attorney in private practice with my main practice located in Goldsboro, North Carolina. I have been practicing law continuously in Goldsboro, North Carolina, since 1993.

2. That I received my bachelor's degree from the University of North Carolina—Chapel Hill in 1990 and I received my juris doctor degree from Wake Forest University School of Law in 1993. I was admitted to the practice of law in North Carolina in 1993 and I am admitted to practice before the United States District Court in the Eastern District of North Carolina and the United States Court of Appeals for the Fourth Circuit. I am a board certified specialist in consumer bankruptcy law and have been so designated since 2009 and was nominated as "Legal Elite" in Business North Carolina magazine in 2012.

3. That I have been invited to make presentations at various seminars across the state such as the North Carolina Bar Association's Bankruptcy Institute; the Eastern Bankruptcy Institute; the North Carolina Advocates for Justice seminar on debt collection and a statewide conference of Legal Aid attorneys. I also testified before a subcommittee before the United States House of Representatives on proposed changes to the Bankruptcy Code in 2010.

4. That I am a member of the National Association of Consumer Advocates and recently have been participating in a debt defense training module. I am also a member of the National Association of Consumer Bankruptcy Attorneys and received a Distinguished Service Award in 2010.

EXHIBIT

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POUNDS EX 0803

5. That my practice consists primarily of representing individual consumers in bankruptcy cases. I also pursue adversary proceedings on behalf of individual consumers in their bankruptcy cases for violations of various consumer protection statutes such as claims arising under the Fair Debt Collections Practices Act (FDCPA) and state debt collection laws; mortgage servicing abuses arising in a number of different contexts including but not limited to violations of the Real Estate Settlement Procedures Act (RESPA) and Regulation X.

6. That I have extensive experience in litigation in state and federal courts as well as in arbitration proceedings. An example of cases in which I have been lead or co-counsel in are as follows:

- *Moses v. Cashcall, Inc.*, 781 F.3d 63 (4th Cir. 2015) involving the interplay between arbitration provisions; core proceedings and non-core proceedings in bankruptcy cases where plaintiff asserted a claim against payday lender and payday lender contended the matter should be arbitrated.
- *Johnson v. Weinstein & Riley, P.C.* (5:09-CV-377-JG) an order for fees at 2011U.S. Dist. LEXIS 33978 for claims arising under the FDCPA where law firm sued plaintiff to collect on debt in violation of the FDCPA. Plaintiff sued law firm to collect damages for such violations.
- *Newton v. Ditech Financial, LLC and US Bank* (arbitration proceedings settled in 2016) for claims arising under the FDCPA; state debt collection law and merger doctrine under real estate law.
- *White v. Quantum3 Group, LLC*, 2016 Bankr. LEXIS 884 (E.D.N.C.) where plaintiff asserted claims against creditor for violations of the FDCPA

in filing its proof of claim in a bankruptcy case. On appeal before the U.S. District Court.

- *Portfolio Recovery Associates v. Houston*, (12 CvS 642 Iredell County) prospective class action against debt buyer where counterclaim plaintiff Houston has asserted a class claim against plaintiff debt buyer for violations of the North Carolina debt buyer statute. Defendant was granted partial summary judgment on defendant's claim against plaintiff debt buyer on her claims. Class certification is pending.
- *Ostrowski v. Dominion Law Associates*, (7:15-CV-202-D); lawsuit filed against defendant law firm for violating the FDCPA where defendant law firm sued plaintiff on a time-barred debt and plaintiff sought damages and statutory damages for the violations.
- *Dodeka, LLC v. Cobb*, 2012 N.C. App. LEXIS 578 (unpub. 2012) where debt buyer sued defendant Cobb on debt and defendant counterclaimed and awarded damages and fees. Result affirmed on appeal before the North Carolina Court of Appeals.
- *Edwards v. Citifinancial, Inc.*, 2011 Bankr. LEXIS 4643 (E.D.N.C.) represented Chapter 13 Trustee in action against mortgage company for fraudulent mortgage documents filed in bankruptcy case. Case was favorably settled for debtors.

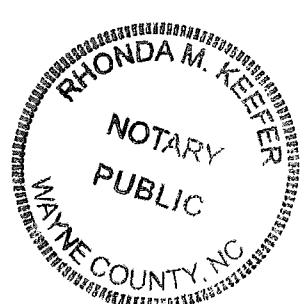
7. That I believe that I and the other attorneys representing plaintiffs in this action have the time, experience and knowledge necessary to represent the plaintiff class competently and vigorously.

This the 27th day of October, 2016.

Adrian M. Lapas
Adrian M. Lapas

Sworn to and subscribed before me
this the 27 day of October, 2016.

Rhonda M. Keefer
Notary Public
My commission expires: 9-30-17



POUNDS EX 0806